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5 Attorneys for Defendants  
 6 RONALD ALBERTSON, MICHAEL ANDERSON,  
 JUSTIN COUNCIL, GREGORY ROTHaus, and CITY OF SAN CARLOS

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10  
 11 MARK LETELL ADAMS,

12 Plaintiff,

13 vs.

14 RONALD ALBERTSON, et al.,

15 Defendants.

Case No. CV 10 4787 WHA (NC)

**DEFENDANTS' REQUEST THAT  
 INDIVIDUAL DEFENDANTS BE  
 EXCUSED FROM PERSONAL  
 ATTENDANCE AT SETTLEMENT  
 CONFERENCE AND  
~~PROPOSED~~ ORDER**

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 19 This matter is currently scheduled for a settlement conference on November 15, 2011 at  
 20 9:30 a.m. before Magistrate Judge Nathanael Cousins. Defendants are represented by the  
 21 undersigned. Plaintiff is representing himself.

22 Defendant CITY OF SAN CARLOS respectfully requests that defendants RONALD  
 23 ALBERTSON, MICHAEL ANDERSON, JUSTIN COUNCIL, and GREG ROTHaus be excused  
 24 from attending the settlement conference in person. As of November 1, 2011, the City contracted  
 25 with San Mateo County for police services and each of the individuals named above became  
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employees of the San Mateo County Sheriff's Office. The City no longer has its own police department. While the individual defendants were employees of the City at all times relevant to the issues in the litigation, they are no longer employees of the City. The absence of these individual defendants at the settlement conference will not impair the City's ability to discuss or resolve the case and will not impair the Court's ability to understand the issues. In fact, as the Court will see, the entire contact that is at issue in this case (plaintiff's April 23, 2010 arrest for domestic violence) was captured on audio tape, which defendants will gladly provide the Court in advance of the conference.

In addition to the undersigned, City Attorney Greg Rubens and a representative from the City's joint liability pool will be in attendance.

Date: November 4, 2011

HOWARD ROME MARTIN & RIDLEY LLP

By: /s/ Todd H. Master

Todd H. Master

Attorneys for Defendants

### ORDER

Pursuant to the above facts, it is hereby ordered that Defendants RONALD ALBERTSON, MICHAEL ANDERSON, JUSTIN COUNCIL, and GREG ROTHUS are excused from personally attending the settlement conference on November 15, 2011.

Date: November 7, 2011

By:   
Magistrate Judge Nathanael Cousins